

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.* State Engineer,
Plaintiff,

69cv07896-BB
RIO TAOS ADJUDICATION

- v -

EDUARDO ABEYTA, *et al.* &
CELSO ARELLANO, *et al.*,
Defendants.

69cv07939-BB
RIO HONDO ADJUDICATION
Consolidated

Section: Rio Pueblo de Taos
Ditch: Upper Manuel Andres Trujillo Ditch

ORDER APPLYING PRIORITY DATE FOR UPPER MANUEL
ANDRES TRUJILLO DITCH TO INDIVIDUAL SUBFILES

In the May 13, 2002 Memorandum Opinion and Order (Docket No. 3026), the Court clarified procedures for determining subfile priority dates and stated that acequia-wide priority dates are to be applied to the water rights they serve. Each claimant has had an opportunity to prove an earlier priority date during the subfile phase and objectors will have the opportunity to prove later priority dates during the *inter se* phase. (No. 3026) On February 21, 2003, the Court entered a Memorandum Opinion and Order (No. 3102) that adopted a priority date of 1829 for the Upper Manuel Andres Trujillo Ditch.

This Order applies the priority date adopted for the Upper Manuel Andres Trujillo Ditch to each subfile irrigation water right it serves. The acequia-wide priority date does not apply to supplemental irrigation wells or springs, nor does it apply to individual subfile water rights previously denied by the Court. All water right claims denied have a priority date of "None." Subfile priority dates are listed in Exhibit A attached to this Order.

It is therefore ordered that the 1829 priority date adopted for Upper Manuel Andres Trujillo Ditch is applied to individual subfile water rights as set forth in Exhibit A.



BRUCE D. BLACK
UNITED STATES DISTRICT JUDGE

EXHIBIT A
UPPER MANUEL ANDRES TRUJILLO DITCH¹

Individual Subfile Priority Dates	
Subfile Number	Priority Date
5.1	1829
5.2	1829
6.1	1829
6.2	1829
6.4	1829
6.5	1829
6.5A	1829
6.5B	1829
6.6	1829
6.7	1829
7.1	1829
7.1A	1829
7.2	1829
7.28	1829
7.29	1829
7.3	1829
7.30	1829
7.31	1829
7.32	1829
7.33	1829
7.34	1829
7.35	1829
7.36	1829
7.37	1829
7.38	1829
7.39	1829
7.3A	1829
7.4	1829
7.40	1829
7.41	1829
7.42	1829

Individual Subfile Priority Dates	
Subfile Number	Priority Date
7.43	1829
7.43A	1829
7.44	1829
7.44A	1829
7.45	1829
7.46	1829
7.5	1829
7.5A	1829
7.5B	1829
7.5C	1829
7.5D	1829
7.6	1829

¹ In the Memorandum Opinion and Order entered February 21, 2003 (No. 3102), this Acequia is listed as Manuel Andres Trujillo Ditch. The Memorandum Opinion and Order entered January 14, 2009 (No. 5193), and subsequent Consent Order Recognizing Separate Acequia Associations, Correcting Hydrographic Survey, and Recognizing Prior Decrees filed May 1, 2009 (No. 5243) clarified the name of the ditch which serves these subfiles as Upper Manuel Andres Trujillo Ditch.